

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
HEDGEYE RISK MANAGEMENT, LLC,

:

Plaintiff,

:

- against -

:

DARIUS DALE, et al.

:

Defendants.

:

21-CV-3687 (ALC) (RWL)

-----X
ORDER**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This order resolves Plaintiff Hedgeye's letter motion at Dkt. 365 and the responses of Defendants at Dkts. 366 and 367.

Hedgeye's request for a protective order is denied. However, as the Dale Defendants represent, the subjects of the depositions to be taken of Hedgeye witnesses this coming week "concern other topics" than the parties' counterclaims. (Dkt. 367 at 2.) If appropriate, Hedgeye may object to questioning of 30(b)(6) witnesses that goes beyond the scope of the noticed topics.

The Terman Defendants may take a later (after this coming week) deposition of Hedgeye encompassing both Hedgeye's own claims as well as the Terman counterclaims, with the understanding that the Terman Defendants will not take two depositions of the same Hedgeye witnesses.

Hedgeye's request to extend the discovery cutoff until 45 days following the pleadings closing is denied. The fact discovery deadline is extended from December 2, 2022 to January 9, 2023. Expert discovery deadlines are extended commensurately.

USDC SDNY
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SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: October 24, 2022
New York, New York

Copies transmitted this date to all counsel of record.